Scott. II-37—100,000—27-5-43.

E and P. H (1948) Department.

7s SERIES.

G.O. No.	110 P. H
	2
Dated	15. 1. 48

[Despatch Abstract.]

Dmgs — Dmgs Act, 1940 and Madras Dmgs Rules, 1945 — Licence fees — Refund in certain cases — Ordered.

Copy of letter No.48757-D/47, dated the 4th December 1947 from Dr.S.L. Bhatia, CIE., MC.,VHS., MA., MD(Cantab)FRCP(Lond) FRS (E).,,Surgeon General with the Government of Madras, Madras-6. to the Secretary to Government, Education and Public Health Department, Madras-9.

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Sub: Drugs - Drugs Act and Drugs Rules, 45 - Licence fees - Refund - Request.

- - -

According to Rule 59 (2) of the Madras Drugs Rules, 45, the fee for licence to deal in Dnugs is Rs.5/- but some of the dealers have paid more than the prescribed fee due to ignorance of Rules. Further some of the dealers in Ayurvedic system of medicines applied for licence on payment of Rs.5/- and these applications were rejected on the plea that Ayurvedic system of medicines do not come under the purview of the Madras Drugs Rules 45 - Vide Section 3 (b) of the Drugs Act, 1940. Those who have paid the excess fees and those whose applications were rejected as stated above, are now submitting applications for refund of the fees. In this connection a reference is solicited to Rule 18 of the Madras Drugs Rules, 45 wherein it is laid down that the fees paid for Registration Certificate shall in no case be refunded to the applicant. But this condition has not been prescribed in the case of Rule 59 (2).

In the circumstances stated above, it is for orders whether the excess fees and the fees paid by the applicants whose applications were rejected, can be refunded as and when applications are received for the same. The Accountant-General, Madras who was consulted in the matter has advised to refer the question to Government for their orders.

Your obedient Servant.

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Sd/- - - -

Lor Surgeon Gen. with Govt of Madras.

Education & Public Health (GI).

A case relating to a refund of licence fees paid under a misapprehension with reference to the Drugs Control order which is no longer in existence has been sent to Devlopment/Finance with E.&P.H. G.O.No.90474 GI/47-1, dated 25-11-47. The decision on that case may be awaited for dealing with the case. L.O.20-12-47.

/True Copy/

SUPERINTENDENT,
Madras Record Office,
.5.1953.

SS/12.5.

GOVERNMENT OF MADRAS.
Abstract.

Drugs - Drugs Act 1940 and Drugs Rules, 1945 - Licence fees - Refund in certain cases - Ordered.

- -

Education & Public Health (CI) Department.
G.O.Ms.No.110. Dated the 15th January 1948.

Read the following:-
From the Surgeon-General, Ref.No.48757-D/47, dated 4-12-47.

ORDER:

The Surgeon-General is authorised to sanction refunds of licence fees in the following cases:-

(i) licence fees paid in excess of the amount prescribed in Rule 59 (2) of the Madras Drugs Rules, 1945, under a misapprehension, and

(ii) licence fees paid by the dealers in Ayurvedic or Unani systems of medicine as explained in section 3 (b) of the Drugs Act 1940 under a misapprehension that the Madras Drugs Rules Apply to them.

To the Sugeon-General. ~~Through-Finance~~
To the Accountant-General. Through Finance.
To Finance (Expenditure A) Department.

/True Copy/

SUPERINTENDENT,
Madras Record Office,
13.5.1953.

SS/12.5.